UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,175	10/17/2001	Robert E. Haines	10013720-1	5620

7590	07/14/2006	**EXAMINER**
		MURPHY, DILLON J

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ART UNIT	PAPER NUMBER
2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
		09/981,175	HAINES ET AL.
Office Action Summary		Examiner	Art Unit	
		Dillon J. Murphy	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). .
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>02 May 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-21</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-21</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

In view of the appeal brief filed on May 2, 2006, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Kimberly Williams.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Cremon et al. (US 6802659) in view of Spurr et al. (US 6527356), hereafter Cremon and

Spurr.

Regarding claim 1, Cremon teaches a system comprising an imaging device that

is operatively coupled across a network to a server computer (Cremon, fig 1, printer #1,

with network access to communicate with other equipment. Also see col 11, ln 27-35

for teaching of network server), a method comprising:

Detecting, by the imaging device, a media ID from print media (Cremon, col 5, ln

15-39, media ID is detected and read by imaging device, and col 11, ln 27-35, further

example of media ID);

Responsive to detecting the media ID, downloading a set of media parameters

corresponding to the Media ID from the server computer to the imaging device

(Cremon, col 11, ln 27-35, wherein when the media ID corresponds to a network

address the imaging device accesses configuration / operating parameters to download

from remote source); and

Automatically configuring the imaging device based on the media parameters

downloaded to the imaging device (Cremon, col 7, ln 3-6, configuration / operating

parameters configure device. Also see col 3, ln 1-12, wherein media parameters

configure imaging device).

Although Cremon implies a system comprising an imaging device that is

operatively coupled across a network to a server computer (col 7, ln 34-40), Cremon

does not explicitly state said system. Spurr, however, teaches a system comprising an

imaging device that is operatively coupled across a network to a server computer

(Spurr, fig 8, wherein printer #230 is connected to servers #260 and #280 via network

#240).

Cremon and Spurr are combinable because they are from a similar field of

endeavor of configuring imaging devices via the network. At the time of the invention, it

would have been obvious to a person of ordinary skill in the art to combine the explicit

teachings of Spurr teaching a system connecting a printer with a server via a network

with the system of Cremon teaching the method of detecting media IDs, downloading a

set of parameters, and configuring the imaging device with the downloaded parameters.

The motivation for doing so was given by Cremon in col 7, ln 34-40, teaching

connecting the imaging device to an external computer to download parameters, col 11,

ln 27-35. Therefore, it would have been obvious to combine Spurr with Cremon to

obtain the invention as specified in claim 1.

Regarding claim 2, which depends from claim 1, the combination of Cremon and

Spurr teaches a method wherein detecting the media ID is performed responsive to

determining that print media has been loaded into a print media supply tray or roll that is

coupled to the imaging device (Cremon, col 6, ln 33-39, wherein code reader is utilized

when rolls are fitted into the printer, i.e. detection is in response to loading print media
into imaging device. Also see Spurr, col 17, ln 8-20).

Regarding claim 3, which depends from claim 1, the combination of Cremon and
Spurr teaches a method wherein detecting the media ID is performed responsive to
receiving an imaging job request (Spurr, col 17, ln 8-20, wherein identifiers are re-read
at the start of each print job).

Regarding claim 4, which depends from claim 1, the combination of Cremon and
Spurr teaches a method wherein downloading the media parameters further comprises:
communicating, by the imaging device, a media parameter request message to the
server computer, the media parameter request message comprising the media ID; and
the imaging device receiving a media parameter response message comprising the
media parameters from the server computer (Cremon, col 11, ln 27-35, wherein
accessing network address comprises communicating a parameter request. Media
parameters are received as RFID configuration data from remote network source.
Additionally, see Spurr in col 17, ln 35 – col 18, ln 39, wherein imaging device
communicates parameter request to server and receives a parameter update).

Claim 5 recites identical features as claim 1 except claim 5 is an apparatus claim.
Thus, arguments similar to that presented above for claim 1 are equally applicable to
claim 5. Applicant is additionally directed to fig 1 showing printer #1 and fig 2 of
Cremon showing memory and CPU (not numbered). See Cremon, col 5, ln 1-6,
wherein CPU inherently executes computer-executable instruction to control process.

Claim 6 recites identical features as claim 2 except claim 6 is an apparatus claim.

Thus, arguments similar to that presented above for claim 2 are equally applicable to

claim 6.

Claim 7 recites identical features as claim 3 except claim 7 is an apparatus claim.

Thus, arguments similar to that presented above for claim 3 are equally applicable to

claim 7.

Claim 8 recites identical features as claim 4 except claim 8 is an apparatus claim.

Thus, arguments similar to that presented above for claim 4 are equally applicable to

claim 8.

Regarding claim 9, which depends from claim 5, the combination of Cremon and

Spurr teach a program further comprising instructions for:

Responsive to downloading the media parameters, updating a look-up-table at

the imaging device to map the media ID to the media parameters (Cremon, fig 2, printer

comprises memory. A look-up-table is inherent to memory structure where parameters

are stored. Also see Cremon, col 7, ln 3-6, wherein media parameters are used to

control settings of printer. Also see Cremon, col 8, ln 52-63, wherein data from RFID is

stored in memory. In the case wherein data is downloaded from a network address, the

data is also stored in the memory as described for the local scenario).

Regarding claim 10, which depends from claim 5, the combination of Cremon

and Spurr teach a program further comprising instructions for:

Responsive to downloading the media parameters, updating a look-up-table at

the imaging device to map the media ID to the media parameters such that the look-up-

table only indicates most recently used media ID to media parameter mappings

(Cremon, fig 2, printer comprises memory. A look-up-table is inherent to memory

structure where parameters are stored. Also see Cremon, col 7, ln 3-6, wherein media

parameters are used to control settings of printer. Also see Cremon, col 8, ln 52-63,

wherein data from RFID is stored in memory. In the case wherein data is downloaded

from a network address, the data is also stored in the memory as described for the local

scenario. Only most recently used data would be in look-up-table to reduce memory

requirements. With media parameters either stored in the RFID tag or in the remote

server, only most recently used would be in the imaging device. In the program of

Cremon and Spurr, the downloading of parameters occurs every time a media is

detected, providing evidence that only most recently used parameters are stored in the

look-up-table of the imaging device).

Claim 11 recites identical features as claim 1 except claim 5 is a computer

readable medium claim. Thus, arguments similar to that presented above for claim 1

are equally applicable to claim 11. Applicant is additionally directed to fig 2 of Cremon

showing memory and CPU (not numbered). See Cremon, col 5, ln 1-6, wherein CPU

inherently executes computer-executable instruction to control process.

Claim 12 recites identical features as claim 2 except claim 12 is a computer

readable medium claim. Thus, arguments similar to that presented above for claim 2

are equally applicable to claim 12.

Claim 13 recites identical features as claim 3 except claim 13 is a computer readable medium claim.   Thus, arguments similar to that presented above for claim 3 are equally applicable to claim 13.

Claim 14 recites identical features as claim 4 except claim 14 is a computer readable medium claim.   Thus, arguments similar to that presented above for claim 4 are equally applicable to claim 8.

Regarding claim 15, the combination of Cremon and Spurr teach in a system comprising a server computer that is operatively coupled across a network to an imaging device (Cremon, fig 1, printer#1, with network access to communicate with other equipment. Also see col 11, ln 27-35 for teaching of network server. Additionally see Spurr, fig 8, wherein printer #230 is connected to servers #260 and #280 via network #240), a method comprising:

Receiving, by the server computer, a media parameter request message comprising a media ID that corresponds to print media, the media parameter request message having been communicated to the server computer by the imaging device (Cremon, col 11, ln 27-35, wherein imaging device sends media parameter request to a network address. In Spurr, col 17 ln 35- col 18 ln 8, the printer, via the computer #280, sends a media request message to the server #260 which receives the message);

Responsive to receiving the media parameter request message, evaluating a remote look-up-table to determine a set of media parameters that correspond to the

media ID (Spurr, col 18, ln 9-18, accessing a database for media information. A look-up-table is inherent to the organization of data within a computer based system); and

Downloading the media parameters to the imaging device (Spurr, col 18, ln 19-39, wherein data is downloaded from server #280 to control logic processor #130 in imaging device).

Regarding claim 16, which depends from claim 15, the combination of Cremon and Spurr teaches a system comprising a method wherein downloading the media parameters further comprises: communicating, by the server device, a response message to the imaging device that comprises the media parameters (Spurr, col 18, ln 35-39, wherein data downloaded to the imaging device comprises media parameters in response to request).

Claim 17 recites identical features as claim 15 except claim 17 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 15 are equally applicable to claim 17. Applicant is additionally directed to fig 2 of Cremon showing memory and CPU (not numbered). See Cremon, col 5, ln 1-6, wherein CPU inherently executes computer-executable instruction to control process. Additionally, see fig 8 of Spurr teaching computers #260 and #280 which inherently comprises computer-readable medium comprising computer executable instructions.

Claim 18 recites identical features as claim 16 except claim 18 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 18 are equally applicable to claim 16.

Regarding claim 19, which depends from claim 17, the combination of Cremon

and Spurr teach a server comprising computer executable instructions (Spurr, fig 8,

servers #280 and #260 inherently comprise computer executable instructions to

implement the method in col 17 ln 35 – col 18, ln 39).

Claim 20 recites identical features as claim 1 except claim 20 is a system claim.

Thus, arguments similar to that presented above for claim 1 are equally applicable to

claim 20. Applicant is additionally directed to Cremon, fig 1, showing printer #1 with

code reader #4 and #5, and CPU #3 for network communication. Additionally, see

Spurr, fig 8, teaching imaging device #230, servers #280 and #260, and network #240.

Regarding claim 21, which depends from claim 20, the combination of Cremon

and Spurr teaches a system wherein the server computer is configured to:

Receive a media parameter request message comprising a media ID that

corresponds to print media, the media parameter request message having been

communicated to the server computer by the imaging device (Cremon, col 11, ln 27-35,

wherein imaging device sends media parameter request to a network address. In

Spurr, col 17 ln 35- col 18 ln 8, the printer, via the computer #280, sends a media

request message to the server #260 which receives the message);

Responsive to receiving the media parameter request message, evaluate a

remote look-up-table to determine a set of media parameters that correspond to the

media ID (Spurr, col 18, ln 9-18, accessing a database for media information. A look-

up-table is inherent to the organization of data within a computer based system); and

Download the media parameters to the imaging device (Spurr, col 18, ln 19-39,

wherein data is downloaded from server #280 to control logic processor #130 in imaging

device).

Response to Arguments

Applicant's arguments, see Appeal Brief, filed May 2, 2006, with respect to the

rejection(s) of claim(s) 1-21 under 35 U.S.C 103 have been fully considered and are

persuasive. Therefore, the rejection has been withdrawn. However, upon further

consideration, a new ground(s) of rejection is made in view of Cremon et al. (US

6802659) and Spurr et al. (US 6527356).

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. The Austin et al. reference (US 5488223), Milton et al. reference

(US 20030117639), Spurr et al. reference (US 6099178), Nakamura reference (US

6546210), and Whale reference (US 20020181015), are cited for detecting media

parameters and configuring the printer based on the media parameters.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dillon J. Murphy whose telephone number is (571) 272-

5945. The examiner can normally be reached on M-F, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kimberly Williams can be reached on (571) 272-7471. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DJM

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER